

REMARKS/ARGUMENTS

Applicant acknowledges with appreciation, the indication that claims 1- 3 and 5-21 are allowed.

The Official Action and the cited references have again been carefully reviewed in regard to maintenance of the rejection of claims 22-24 under 35 USC 112, first paragraph; and 35 USC 101.

Reconsideration and allowance are therefore respectfully requested.

Again, the innovation is a method and apparatus for efficiently selecting and acquiring a wireless communications system (as opposed to the prior art, where each failed attempt can take up to 20 seconds and are caused by a variety of factors, i.e., inability to detect a pilot signal or a blocked or weakened signal due to physical obstructions).

In the present system, a mobile station is adapted to avoid unusable wireless communications systems during the process of system acquisition – wherein the mobile station includes processing circuitry and a memory storing a preferred roaming list and system avoidance data.

The system avoidance data identifies unusable systems and includes corresponding avoidance criterion, so that the processing circuitry selects a system from the preferred roaming list based upon a predetermined system acquisition procedure, wherein the selection system is skipped if corresponding avoidance criterion (equal to a current time plus an avoidance duration time) is satisfied. If the selected system is useable, the mobile station acquires and registers with the selected system. Further, the processing circuitry is adapted to add systems to the system avoidance data responsive to a communications failure, and remove systems from the system avoidance data when corresponding avoidance criterion is no longer satisfied.

Claims 22-24 were rejected under 35 USC 112, first paragraph, as failing to comply with the written description requirement.

However, applicants have revised these claims consistent with page 4, paragraph [0009] of the specification as originally filed to recite processing circuitry and the elements thereof.

Withdrawal of the rejection is respectfully requested in view of the fact that claims 22-24 as presently recited are not new matter.

Claims 22-24 were again rejected under 35 USC 101 on grounds they are directed to non-statutory subject matter; however, since “processor readable media” is no longer claimed, the rejection is no longer applicable.

Therefore, it is respectfully requested that this rejection be withdrawn.

Conclusion

In view of the forgoing amendments, remarks and arguments, it is believed that the application is now fully in condition for allowance and early notification of the same is earnestly solicited with respect to all of the claims.

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Respectfully submitted,

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